

LOCAL BANKRUPTCY FORM 9014-3

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re: PHYLLIS TALLOS-GOLDRING : Chapter 13
Debtor : No. 17-13865

* * * * *

NOTICE OF MOTION, RESPONSE DEADLINE
AND HEARING DATE

TOWER AT OAK HILL CONDOMINIUM ASSOCIATION has filed a MOTION FOR RELIEF FROM AUTOMATIC STAY UNDER SECTIONS 362(a) and (e)(1) of the Bankruptcy Code with the Court for relief from the automatic stay granted by the Court.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult an attorney.)

1. If you do not want the Court to grant the relief sought in the motion or if you want the Court to consider your views on the motion, then on or before Monday, December 11, 2017 you or your Attorney must do all of the following:

(a) file an answer explaining your position at:

Office of the Clerk of the
United States Bankruptcy Court
Eastern District of Pennsylvania
Robert N.C. Nix Federal Courthouse and Post Office Building
900 Market Street, Room 400
Philadelphia, PA 19106

If you mail your answer to the Bankruptcy Clerk's office for filing, you must mail it early enough so that it will be received on or before the date stated above; and

(b) mail a copy to the movant's attorney:

GLENN M. ROSS, ESQUIRE
566 South Bethlehem Pike
Fort Washington, PA 19034
Telephone: (215) 643-7200
Facsimile: (215) 643-7205

2. If you or your attorney do not take the steps described in paragraphs 1(a) and 1(b) above and attend the hearing, the Court may enter an Order granting the relief requested in the motion.

3. A hearing on the motion is scheduled to be held before The Honorable Judge Ashley M. Chan on Tuesday, December 19, 2017 at 11:00 A.M. in Courtroom Number 5, United States Bankruptcy Court, Robert N.C. Nix Federal Courthouse and Post Office Building, 900 Market Street, Philadelphia, Pennsylvania 19106.

4. If a copy of the motion is not enclosed, a copy of the motion will be provided to you if you request a copy from the attorney named in paragraph 1(b).

5. You may contact the Bankruptcy Clerk's office at (215) 408-2800 to find out whether the hearing has been canceled because no one filed an answer.

DATED: November 27, 2017

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

| | | |
|--------------------------------------|---|-------------------|
| IN RE: PHYLLIS TALLOS-GOLDRING | : | CASE NO. 17-13865 |
| | : | CHAPTER 13 |
| | | |
| TOWER AT OAK HILL CONDOMINIUM ASSOC. | : | |
| C/o CAMCO Management Company | : | |
| 511 West Chester Pike | : | |
| Havertown, PA 19083 | : | |
| Vs. | : | |
| PHYLLIS TALLOS-GOLDRING | : | |
| 500 Regatta Drive, Unit 2507 | : | |
| Philadelphia, PA 19146 | : | |

MOTION FOR RELIEF FROM AUTOMATIC STAY
UNDER SECTIONS 362(a) and (e) (1) and 302 ©)

Petitioner, TOWER AT OAK HILL CONDOMINIUM ASSOCIATION,
by and through its undersigned attorney, moves this Honorable
Court for an Order granting Relief from the Automatic Stay
provided for by 11 U.S.C., Section 362(a)(1), and (e) (1), and in
support thereof avers as follows:

1. The Petitioner is a condominium association with a
business address as set forth hereinabove. Petitioner is an
association organized and existing to oversee the maintenance of
the Tower at Oak Hill Condominium complex, and as such, is
responsible for the collection of fees/dues owed by individual
unit owners.

2. PHYLLIS TALLOS-GOLDRING is the unit owner of Tower at
Oak Hill Condominium, 1600 Hagys Ford Road, #8-Z, Narberth,
Pennsylvania, 19072.

3. PHYLLIS TALLOS-GOLDRING is the Debtor in the above-
captioned case under Chapter 13 of the Bankruptcy Code pending in

this Court.

4. The subject bankruptcy Petition, Chapter 13 No. 17-13865, was filed by Phyllis Tallos-Goldring on June 2, 2017 and is pending before this Court.

5. Both prior to and subsequent to the filing of the Petition in Bankruptcy, Debtor has made minimal payments. The condominium dues are in the amount of \$573.00 per month plus related charges and late fees.

6. Debtor owes Petitioner at least the following amounts, yet continues to use the premises and benefit therefrom:

| | |
|-------------------------|-------------|
| TOTAL PRE-PETITION DEBT | \$ 1,126.56 |
|-------------------------|-------------|

POST-PETITION DEBT:

| | |
|--|----------|
| Unpaid condominium fees, cable charges, late fees and related charges | 3,159.00 |
|--|----------|

| | |
|--|----------|
| Legal Fee for filing of Motion for Relief from Automatic Stay | 1,125.00 |
|--|----------|

| | |
|--------------------------|-------------|
| TOTAL POST-PETITION DEBT | \$ 4,284.00 |
|--------------------------|-------------|

7. Debtor has insufficient income to meet her current obligation to pay fees due the condominium association.

8. Debtor, although profiting from her continuing use of the premises, has failed to pay the Condominium Association as required under the Bankruptcy Code. Debtor has a tenant in the premises and is collecting rental. Based upon her past record, there is no basis for believing that the Debtor will pay the Association for costs of current use of the premises.

9. As a result of the delinquency of the Debtor, owners of other condominium units at the Tower at Oak Hill Condominiums

have been forced to incur expenses they would not otherwise have had to, had the Debtor herein met her obligations under the Condominium By-Laws, including but not limited to increased expenses assessed against other owners and counsel fees incurred by the Condominium Association.

10. As a result of the Debtor's delinquency, owners of other condominium units at the Tower at Oak Hill Condominiums have suffered as a result of there being a shortage of funds available for necessary repairs, maintenance and upkeep of the buildings and common areas.

11. The Condominium Association lacks adequate protection for its interest in the premises and unless the Association is permitted to lawfully proceed to collect the delinquent sums owed, it will suffer irreparable harm through loss of income deterioration of the premises. Lessee's unpaid debt already

exceeds the sum of \$5,410.56.

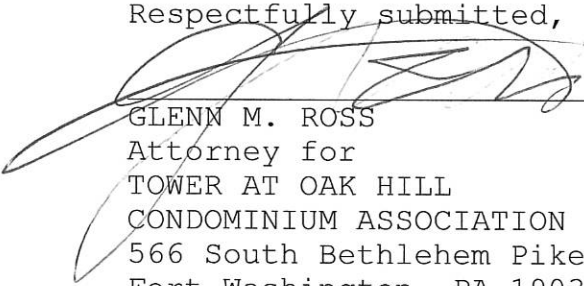
WHEREFORE, Plaintiff-Petitioner respectfully requests this Honorable Court to enter an Order granting it the following:

(a) Relief from the Automatic Stay imposed by Section 362 of The Bankruptcy Code;

(b) Relief from the Automatic Stay imposed by Section 362(a) and (e)(1) of the Bankruptcy Code to permit Petitioner to proceed with an action for judgment through the appropriate legal means on post-petition fees/dues and related charges owed by the Debtor to the Petitioner,

(c) Such other relief and reimbursement to Petitioner as this Court may determine fair and equitable.

Respectfully submitted,



GLENN M. ROSS
Attorney for
TOWER AT OAK HILL
CONDOMINIUM ASSOCIATION
566 South Bethlehem Pike
Fort Washington, PA 19034
(215) 643-7200